Repealing obsolete acts from the Schengen acquis in the field of police cooperation and judicial cooperation in criminal matters

2014/0338(COD) - 14/09/2015 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Civil Liberties, Justice and Home Affairs adopted the report by Claude MORAES (S&D, UK) on the proposal for a decision of the European Parliament and of the Council repealing certain acts in the field of police cooperation and judicial cooperation in criminal matters.

The committee recommended that the position of the European Parliament adopted at first reading under the ordinary legislative procedure should amend the Commission proposal.

Members proposed to change the type of act from **'decision' to 'regulation'**. They stressed that in accordance with the Article 288 TFEU a regulation is binding in its entirety and directly applicable in all Member States and will better serve the purpose of the proposal to repeal the acts deemed to be obsolete.

Therefore, the proposal repeals:

- 3 Decisions of the Executive Committee SCH/Comex (93) 14 (combatting drug trafficking), (98) 52 (police handbook), (99) 11 Rev. 2 (road traffic offences);
- a Declaration of the Executive Committee SCH/Com-ex (97) decl. 13 rev 2 (abduction of minors),
- Council Decision 2008/173/JHA of 18 February 2018 on the tests of the second generation Schengen Information System (SIS II).

The rapporteur suggests also several amendments aiming at improving the drafting of the act, including an addition in the title specifying that **the repealed acts in question belong to the Schengen acquis**, and amendments adapting the recitals to the **UK's position** after the expiry of the transitional period set out in Protocol No 36 to the Treaties.